

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,

Plaintiff,

v.

TEXAS INSTRUMENTS, INC.,

Defendant.

Civil Action No. 6:12-CV-499-MHS

LEAD CASE

Jury Trial Demanded

BLUE SPIKE, LLC,

Plaintiff,

v.

3M COGENT INC.,

Defendant.

Civil Action No. 6:12-CV-685-MHS

CONSOLIDATED CASE

Jury Trial Demanded

**DEFENDANT 3M COGENT INC.'S NOTICE OF JOINDER AND JOINDER IN
DEFENDANTS' MOTION TO STAY ALL PROCEEDINGS PENDING
RESOLUTION OF ALL PENDING MOTIONS TO TRANSFER VENUE**

Defendant 3M Cogent, Inc. ("3M Cogent") hereby provides notice that it joins in *Defendants' Motion To Stay All Proceedings Pending Resolution Of All Pending Motions To Transfer Venue* (Dkt. 1244) ("Motion To Stay").

Similar to most, if not all, of the moving parties in the Motion To Stay, 3M Cogent filed, on February 5, 2014, a motion to transfer the venue of the subject action. (Dkt. 1150.) Additionally, 3M Cogent will be directly affected by the outcome of all the pending transfer motions, some of which seek the transfer as an alternative to dismissal, filed by its co-defendants. Thus, 3M Cogent adopts by reference the briefing and argument in support of the Motion To Stay and requests that the Court stay all proceedings in the consolidated action, as to all defendants, pending resolution of all transfer motions and motions to dismiss.

Alternatively, if the Court does not stay the case pending resolution of all transfer motions, or if the Court grants the stay in any individual case but defers effective transfer until after a Markman ruling and allows the consolidated case to go forward as against all other parties, 3M Cogent respectfully requests that all defendants so affected be permitted to participate in claim construction proceedings so as not to be excluded and thus prejudiced by any deferred granting of a motion to transfer.

Dated: February 13, 2014

Respectfully submitted,

/s/ Robert F. Kramer.
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*ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that, on February 13, 2014, all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's ECF system. Local Rule CV-5(a)(3).

/s/ Robert F. Kramer

Robert F. Kramer

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for 3M Cogent has complied with the meet and confer requirement in Local Rule CV-7(h). The personal conference required by Local Rule CV-7(h) was conducted on February 13, 2014 via telephone conference with the following participants: Krik Anderson for Blue Spike, LLC and Cynthia Liu for 3M Cogent. No agreement could be reached because counsel for Blue Spike, LLC indicated that it opposes this motion. Discussions have conclusively ended in an impasse, leaving an open issue for the court to resolve.

/s/ Robert F. Kramer

Robert F. Kramer